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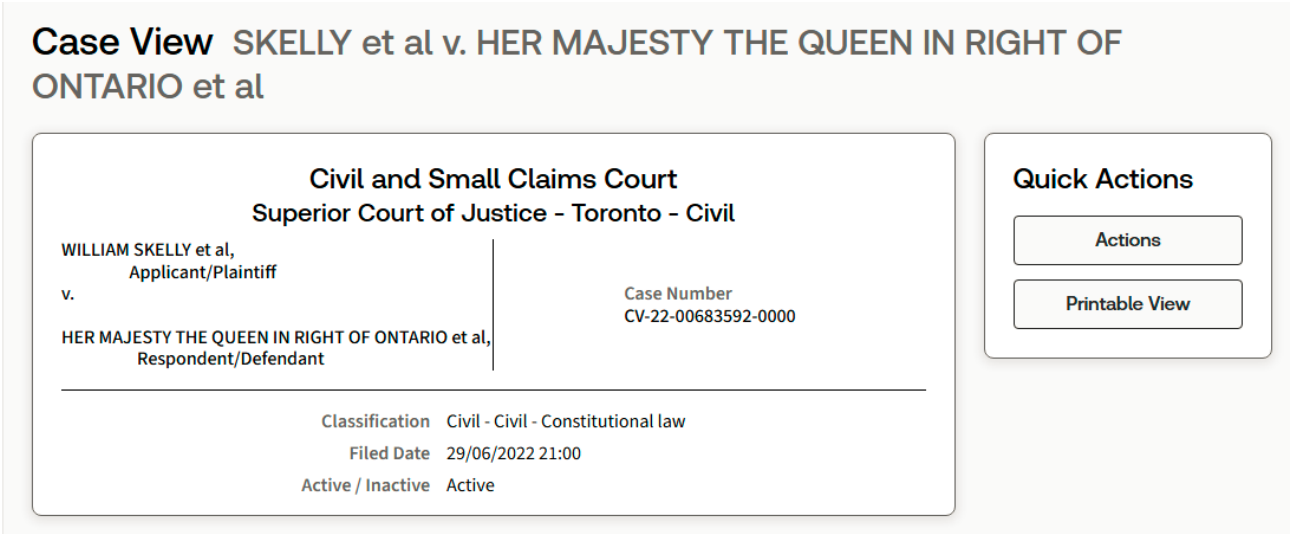
FEBRUARY 18, 2026 BY RONNIE

Adam Skelly, Part 6: The Final Arguments



Case View SKELLY et al v. HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO et al

Civil and Small Claims Court
Superior Court of Justice - Toronto - Civil

WILLIAM SKELLY et al,
Applicant/Plaintiff
v.
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO et al,
Respondent/Defendant

Case Number
CV-22-00683592-0000

Classification Civil - Civil - Constitutional law
Filed Date 29/06/2022 21:00
Active / Inactive Active

Quick Actions
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Court File No.: CV-22-00683592-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
(proceeding commenced at Toronto)

B E T W E E N:

WILLIAM ADAMSON SKELLY ~~and ADAMSON BARBECUE LIMITED~~

Applicants~~s~~

- and -

HIS MAJESTY THE KING IN RIGHT OF ONTARIO, CITY OF TORONTO, BOARD OF HEALTH FOR THE CITY OF TORONTO, and EILEEN DE VILLA

Respondents

FACTUM OF THE RESPONDENT
HIS MAJESTY THE KING IN RIGHT OF ONTARIO
(Application returnable February 25 - 27, 2026)

It's been years, but the long overdue challenge from Adam Skelly of the Reopening Ontario Act (R.O.A.) is finally set to be heard at the Ontario Superior Court in Toronto.

Currently, he's awaiting sentencing on criminal charges that resulted from keeping his restaurant open in late 2020. This was done in defiance of the dictates of Ontario Premier Doug Ford, and Medical Officer of Health, Eileen De Villa. What happens next week in Civil Court will impact that.

If the challenge is upheld, then presumably the criminal charges will be stayed or dismissed.

If this case is thrown out, then sentencing goes ahead

See parts 1, 2, 3, 4 and 5 for background information.

We get to the various Factums, or final arguments of the parties: (a) Skelly; (b) Ontario; and (c) Toronto and Eileen De Villa. While there are plenty of other documents filed, these

provide a snapshot of how the case is supposed to play out.

Skelly: Measures Were Heavy-Handed, No Scientific Basis

- 6 expert witnesses are here to back up his position
- No evidence that closing restaurants or prohibiting peaceful assembly would have meaningfully reduced COVID-19 transmission
- City and Province were giving conflicting directions in 2020
- Police illegally blocked peaceful protests and demonstrations
- Court shouldn't "take on faith" that these were necessary
- No effort made to examine Charter consequences of lockdowns
- De Villa didn't actually have the authority to issue trespass order
- Heavy police presence and fines were designed to "crush"
- Ad-hoc, or after-the-fact justifications cannot withstand scrutiny
- It's not just this case, but a challenge to the R.O.A. itself, passed in 2020

Of course, this isn't everything, but addresses some of the major points in Skelly's Factum that are to be brought up at the hearing.

Ontario Wants Case Thrown Out On Procedural Grounds

- Application amended frequently, and now hard to deal with
- This is a collateral attack (repeat challenge) to administrative orders
- Skelly has private standing to bring case, but not public interest standing
- Skelly is (also) challenging provisions that didn't apply to him
- Challenge should have been via Health Services Appeal and Review Board
- R.O.A. is permitted under broader Quarantine Act (which is Federal)
- R.O.A was not vague, arbitrary, overbroad or grossly disproportionate
- No Charter violations for Skelly took place
- If Skelly's rights were violated, it was justified under s.1 of the Charter

The arguments from the Ontario Government are an interesting contrast to those of Adam Skelly. Instead of presenting evidence for justification, there are typical grounds raised to dismiss over procedural concerns.

City Of Toronto Raises Similar Objections As Ontario

- Application is a repeated challenge to settled matters (abuse of process)
- Judicial Review brought in wrong Court
- Judicial Review filed too late, and out of time
- None of this actually violated Skelly's Charter rights
- Evidence presented doesn't establish breaches of most Charter rights
- If rights *were* violated, then s.1 justifies it
- Under existing legal framework, measures were legal and reasonable

Just like with the Provincial counterpart, the City of Toronto and Eileen De Villa largely avoid the case that Skelly has brought. The Factum asks the Court to dismiss for other reasons.

Anyhow, that is how things are shaping up. We have an Applicant with potentially a very strong case, facing Respondents who would prefer to talk about other things. The hearing is to take place over 3 days, and should be interesting.

It would also be nice to finally deal with former counsel, Michael Swinwood. He is almost singlehandedly the reason this case was not heard in 2021.

COURT DECISIONS:
(1) Skelly – Restraining Order Deferred Matter
(2) Skelly – Restraining Order Decision, December 2020
(3) Skelly – Criminal Court Limits What He Can Post Online
(4) Skelly – Judge Lacks Jurisdiction To Hear Case, June 2021
(5) Skelly – Costs Of $15,000 Ordered For Failed Motion
(6) Skelly – Costs From 2020 Kimmel Decision, Previously Deferred
(7) Skelly – Motion For Security For Costs Decision, September 2023

2020/2021 COURT DOCUMENTS:
(1) Skelly – Application Record Restraining Order (Michael Swinwood)
(2) Skelly – Notice of Constitutional Question (February)
(3) Skelly – Amended Notice Of Constitutional Question (June)
(4) Skelly – Book of Transcripts – Respondents (Applicants)

(5) Skelly – Book of Transcripts – Respondent on Motion – HMTQ
(6) Skelly – 2021 Motion Factum
(7) Skelly – 2021 Motion Amended Factum – Respondents (Applicants)
(8) Skelly – DeVilla Transcript
(9) Skelly – 2021 Motion Reply Factum

(1) Skelly – RBC Default Judgement Order

MALPRACTICE SUIT AGAINST MICHAEL SWINWOOD:
(1) Skelly – Swinwood Malpractice Statement Of Claim

NEW APPLICATION DOCUMENTS:
(1) Skelly – Notice Of Application (Ian Perry)
(2) Skelly – Costs – Notice of Motion – Moving Party (Respondent) HMTK
(3) Skelly – Costs – Motion Record-Moving Party (Respondent)
(4) Skelly – Costs – Applicant Responding Motion Record Security For Costs
(5) Skelly – NEW – Responding Record March 2024
(6) Skelly – Costs – Factum – Moving Party – HMK
(7) Skelly – Costs – Responding Factum Applicants Skelly et al
(8) Skelly – Justice Akazaki Deferral Of Case
(9) Skelly – Transcript De Villa
(10) Skelly – Transcript Hodge
(11) Skelly – Transcript Skelly
(12) Skelly – Factum 2026 Hearing
(13) Skelly – Factum De Villa Toronto
(14) Skelly – Factum Ford Ontario

EXPERT REPORTS:
(1A) Skelly – Byram Bridle Resume
(1B) Skelly – Byram Bridle Expert Report
(1C) Skelly – Byram Bridle Expert Reply Report

(2A) Skelly – Douglas Allen Resume
(2B) Skelly – Douglas Allen Expert Report
(2C) Skelly – Douglas Allen Expert Report

(3A) Skelly – Gilbert Berdine Resume
(3B) Skelly – Gilbert Berdine Expert Report
(3C) Skelly – Gilbert Berdine Expert Reply Report

(4A) Skelly – Harvey Risch Affidavit
(4B) Skelly – Harvey Risch Expert Report

(5A) Skelly – William Briggs Resume
(5B) Skelly – William Briggs Expert Report
(5C) Skelly – William Briggs Expert Reply Report

ADAM SKELLY, CANADA, CANADIAN DECISIONS, EMPLOYMENT, VACCINES

One Reply to “Adam Skelly, Part 6: The Final Arguments”

Grace Joubarne

FEBRUARY 25, 2026 AT 6:29 AM

This is a perfect example of what happens because Pierre Trudeau and subsequent traitors abolished Common Law and Courts of Equity, to instead subject us to corporate/commercial law with endless technicalities handy to close down any challenges to our violations of human and property rights.